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PATENT
454311-2200.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Steven D. Hanes et al.

U.S. Serial No. : 09/507,242

Filing Date : February 18, 2000

For : **CaESSI: A CANDIDA ALBICANS GENE, METHOD FOR MAKING AND USING AND TARGETING IT AND ITS EXPRESSION PRODUCTS FOR ANTIFUNGAL APPLICATIONS**

Examiner : P. Bascar

Group Art Unit : 1645

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745 Fifth Avenue, New York, NY 10151

EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. §1.116

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on March 13, 2002.

Thomas J. Kowalski, Reg. No. 32,147

Name of Applicant, Assignee or Registered Representative

Thomas J. Kowalski
Signature

May 22, 2002

Date of Signature

NOTICE OF APPEAL WITH REQUEST FOR EXTENSION OF TIME

Commissioner for Patents
Washington, D.C. 20231

BOX AF

Dear Sir:

This is in response to the November 23, 2001 Final Office Action.

REQUEST FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. §§1.136(a) and 1.17(a), it is respectfully requested that the period for reply to the September 13, 2001 Final Office Action be extended three months, i.e., to up to and including May 23, 2002. Enclosed herewith is a check in the amount of \$460.00 in payment of the fee therefor, for a Small Entity, and the Commissioner is hereby authorized to charge any additionally required fee for the extension of time, or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.

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NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Final Office Action dated November 23, 2001 finally rejecting claims 5, 6, 23-27 and 30-39.

Our check in the amount of \$160.00 is enclosed to cover the appeal fee required by 35 U.S.C. §41(a)(6) and 37 C.F.R. §1.17(b), for a Small Entity, and the Commissioner is hereby authorized to charge any additionally required fee for the Notice of Appeal, or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

Thomas J. Kowalski
Reg. No. 32,147
Tel (212) 588-0800
Fax (212) 588-0500